

REMARKS/ARGUMENTS

Claims 1-3 and 8 are pending and at issue in the present application, wherein claims 1 and 2 are presently rejected and claims 3 and 8 are presently objected to. Claims 4-7 and 9 have been withdrawn from examination by a prior amendment.

Figure 5 has been objected to by the examiner for failing to indicate reference numeral "23" as "suggested by the specification on page 12, line 16." Applicants respectfully traverse the objection to Figure 5 and note that reference numeral "23" is identified on Figure 3. Further, the portions of the specification on page 12, line 16, referring to reference numeral 23 clearly relate back to the structure identified on Figure 3. While Applicants have elected to pursue claims 1-3 and 8 directed to a species related to Figure 5, structure that is common with respect to both the elected species and a non-elected species and that is identified in figures with respect to the non-elected species, is still material and relevant for purposes of the patentability of claims 1-3 and 8.

Applicants respectfully traverse the objections to the specification. Applicants have amended the abstract to conform to United States Patent & Trademark Office guidelines. Further, Applicant has amended a paragraph at page 6, lines 10-12, a paragraph at page 8, line 28 – page 9, line 3, a paragraph at page 9, lines 16-28, a paragraph at page 15, line 34 – page 16, line 2, and a paragraph at page 17, lines 10-19, in light of the examiner's suggestions.

Applicants further traverse the rejection of the claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Sechet et al. U.S. Patent No. 6,098,946 ("Sechet"). Claim 1, and claim 2 dependent thereon, specifies, in part, that "retaining means for retaining the actuating element are adapted to co-operate with longitudinal indexing means on the fixed rail so as firstly to hold the actuating element in the unlocking position over at least one predetermined range of longitudinal positions." Sechet does not disclose or suggest the aforementioned structure.

In fact, Sechet discloses a slide rail 5 for a vehicle seat comprising a fixed section 6 attached to a vehicle floor and a mobile section 7 that is slidably mounted to the fixed section 6. A slide rail catch 20 is attached to the mobile section 7 and is longitudinally movable with same between a first locked position and a second unlocked position to lock or unlock the mobile section 7 with respect to the fixed section 6. A memorization runner 45 is slidably

mounted to the fixed section 6. The memorization device 45 includes an attachment device 60 that is operable between an attached position and an unattached position. In the attached position, the attachment device 60 attaches the memorization device 45 to the mobile section 7. In the unattached position, the attachment device 60 does not connect the memorization device 45 to the mobile section 7. A first control means is provided to allow the catch 20 to move from the locked position to the unlocked position, thereby allowing the mobile section 7 to move longitudinally from a starting position in a first direction without the memorization device 45 moving therewith. In this mode of operation, the memorization device 45 is stationary and will restrict movement of the mobile section 7 beyond the starting position in a second direction, thereby allowing the starting position to be "memorized." A second control means is also provided that allows the catch 20 to similarly move from the locked position to the unlocked position. However, the second control means is also adapted to move the attachment device 60 from the unattached position to the attached position, thereby allowing the memorization device 45 to move in conjunction with the mobile section 7 in either the first or second longitudinal directions from the starting position. Sechet only teaches providing longitudinally extending notches 25, 56 to engage with the catch 20 and the memorization device 45, respectively. Sechet does not disclose a control means that includes a retaining means for retaining an actuating element of the catch 22 in an unlocked position while traversing a predetermined range of longitudinal positions.

Because the cited art does not disclose or suggest each of the elements recited by the claims at issue, it follows that such claims are not anticipated thereby.

For the foregoing reasons, reconsideration and withdrawal of the rejections of the claims at issue and reconsideration thereof are respectfully requested.

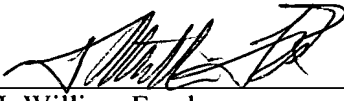
An early and favorable action on the merits is respectfully requested.

Deposit Account Authorization

The Commissioner is hereby authorized to charge any deficiency in any amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17, except issue fees, to Deposit Account No. 50-1903. A copy of this Transmittal is enclosed.

Respectfully submitted,

McCracken & Frank LLP

By: 
J. William Frank
Reg. No: 25,626

Date: May 31, 2006

200 W. Adams
Suite 2150
Chicago, IL 60606
Telephone: (312) 263-4700
Facsimile: (312) 263-3990
Customer No. 29471